
**Agriculture & Natural Resources
Committee**

SSB 5380

Brief Description: Modifying provisions of the code that deal with migratory birds.

Sponsors: Senate Committee on Natural Resources & Parks (originally sponsored by Senator Pearson).

Brief Summary of Substitute Bill

- Requires the State Auditor to audit the Washington Department of Fish and Wildlife's (WDFW) use of revenue derived from the sale of migratory bird permits at least every four years to ensure that funds are used appropriately.
- Authorizes the WDFW to contract with an appropriate person or nonprofit organization for selection of the annual migratory bird stamp design and the administration, sale, distribution, and other matters relating to the stamps, prints, and artwork.

Hearing Date: 3/17/15

Staff: Peter Clodfelter (786-7127).

Background:

Migratory Bird Permits, Stamps, and Artwork.

A \$15 migratory bird permit, which supplements a small game hunting license, is required in order to hunt for migratory birds.

Revenue from the sales of the migratory bird permit is deposited in the State Wildlife Account (Account). Using hunter surveys, the WDFW must determine the relative amounts of revenue derived from hunters hunting only waterfowl migratory birds versus hunters hunting only nonwaterfowl migratory birds, based on a two-year average. All revenue derived from the sale of migratory bird permits by the WDFW to persons hunting only waterfowl migratory birds, or

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to any stamp collector, may be used only for migratory waterfowl projects specified by the WDFW for the acquisition and development of migratory waterfowl habitat and for the enhancement, protection, and propagation of migratory waterfowl in the state. Funds may not be used for migratory waterfowl projects on lands controlled by private hunting clubs or on private lands that charge a fee for public access; but funds may be used for migratory waterfowl projects on private land where public hunting is provided by written permission or on areas established by the WDFW as waterfowl hunting closures. The portion of revenue from nonwaterfowl migratory bird hunters is used for the same types of projects that benefit nonwaterfowl migratory birds.

The WDFW is also required to annually select a migratory bird stamp design and administer a program to sell collector prints and artwork containing the design. Revenue must be deposited in the Account. After production and marketing costs are deducted, the WDFW is required to use the proceeds to contract for the development of waterfowl propagation projects within Washington that provide waterfowl for the Pacific flyway.

If the WDFW acquires property pursuant to a WDFW migratory bird project, the WDFW is required to provide the general public with reasonable access to the property.

Recent Legislation.

In 2011, two acts amended statutes related to migratory bird permits, stamps, and artwork. One act changed the name of the document required to hunt migratory birds from a migratory bird stamp or validation to a migratory bird permit, but the act did not change the statutes addressing stamps and artwork. A second act eliminated the use of the migratory waterfowl art committee to select a migratory bird stamp design and administer the program to sell collector prints and artwork using the design; the act assigned those functions to the WDFW. The second act also eliminated an annual audit of the migratory waterfowl art committee.

Summary of Bill:

Migratory Bird Permits, Stamps, and Artwork.

The State Auditor is required to audit the WDFW's use of revenue derived from the sale of migratory bird permits at least every four years to ensure that funds are used appropriately.

Also, it is clarified that when the WDFW acquires a fee interest, leasehold, or rental interest in real property in the course of undertaking a migratory bird enhancement project, the WDFW's obligation to provide reasonable access to the general public includes providing reasonable access to consumptive users.

Further, the WDFW is authorized to contract with an appropriate person or nonprofit organization for selection of the annual migratory bird stamp design and the administration, sale, distribution, and other matters relating to the stamps, prints, and artwork. Production and marketing costs may be paid from the total sales of the stamps, prints, and artwork, and the WDFW must use the remaining amount to contract for the development of waterfowl propagation projects within the state that provide waterfowl for the Pacific flyway.

Last, technical and organizational changes are made, like making consistent the use of terms related to migratory bird permits, stamps, and artwork.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.